

## NOTICE OF EXEMPTION

**To:** Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044, 1400 Tenth Street, Room 212  
Sacramento, CA 95812-3044

**From:** Department of Toxic Substances Control  
Office of Military Facilities, Northern California  
8800 Cal Center Drive  
Sacramento, CA 95826

**Project Title:** **Corrective Action Complete Determination and Facility Boundary Change, Sierra Army Depot BRAC Parcels**

**Project Location:** **Herlong, California**

**County:** **Lassen**

**Project Description:**

The Department of Toxic Substances Control (DTSC) is making a determination that corrective action has been completed for approximately 62,000+ acres of property at Sierra Army Depot (SIAD) as identified in the following documents:

- “Environmental Condition of Property” for Sierra Army Depot Southwest Corner Parcel #2 Excess, August 1997
- “Environmental Condition of Property” for Sierra Army Depot 50 Acre Parcel in the Northwest Corner of the Southwest Corner Parcel #2 Excess, August 1997
- “Environmental Condition of Property” for Sierra Army Depot Herlong Parcel Mods Area #2 Excess, August 1997
- “Deed to Convey Federally-Owned Buildings, Improvements, Facilities and Real Property” at the Herlong Parcel
- “Finding of Suitability to Transfer” for Sierra Army Depot Herlong Parcel, February 2003
- “Finding of Suitability to Transfer” for Sierra Army Depot East Airfield and Clean Southern Section of the East Shore Parcel, May 2003
- “Finding of Suitability to Transfer” for Sierra Army Depot Susanville Road and Southern Cross Depot Access Parcels, February 2004
- “Finding of Suitability to Transfer” for Sierra Army Honey Lake Primary Parcel, September 2003

These parcels were subject to corrective action requirements of the California Hazardous Waste Control Law and the federal Resource Conservation and Recovery Act (RCRA) because they were part of the property at SIAD which is an inactive RCRA hazardous waste treatment and storage facility. SIAD had interim status authorization under RCRA that was terminated by DTSC in 2004. The RCRA corrective action requirements for the transferred parcels have been completed through investigation and cleanup actions overseen by DTSC and the Regional Water Quality Control Board, Lahontan Region (RWQCB) under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); and by underground/aboveground storage tank investigation and cleanup actions overseen by the RWQCB and Lassen County Environmental Health Department. Where Lassen County or the Lahontan RWQCB have provided regulatory closure letters or concurrence, DTSC has not conducted independent evaluations of these actions and is basing its determination on the respective agency’s findings.

This RCRA corrective action complete determination allows the United States Army (U.S. Army) to transfer these identified parcels to new owners without transferring the associated RCRA corrective action liability. There are no additional physical activities associated with this corrective action complete decision by DTSC for these SIAD transferred parcels. On a few of the parcels where buildings remain, the transfer deeds contain use restrictions due to the presence of lead-based paint and asbestos containing building materials. These use restrictions are identified in the deeds to the property and not imposed by DTSC. DTSC considers these parcels free of environmental land use restrictions.

The U.S. Army will retain the remainder of SIAD at this time where closure and corrective action have not been completed. This retained property remains subject to RCRA closure and corrective action requirements. The U.S. Army has submitted to DTSC a map showing the new boundaries of SIAD hazardous waste facility after carving out the transferred parcels. DTSC is changing the boundaries of the SIAD RCRA hazardous waste facility property consistent with its proposed decision that RCRA corrective action has been completed. Figures 1 and 2 show the pre- and post-transfer boundaries; not shown on these maps is the road that connects the main post to the upper burning ground, via Cross/Demolition Road. Also shown on these maps, is a square-shaped area north of the main base which is the location of a gravel pit.

## Background

Sierra Army Depot is located adjacent to the unincorporated community of Herlong in Lassen County, California. The U.S. Army acquired Honey Lake in 1933 for use as an aerial bombing and gunnery range. In 1942, Sierra Ordnance Depot began operations as a reserve storage and supply depot for the U.S. Department of Treasury. It was re-designated as Sierra Army Depot (SIAD) in 1962 the result of an U.S. Army reorganization. SIAD's mission has included demolition of ordnance, operation of a function test range, and storage of ammunition, explosives, missiles, and propellant. Sierra Army Depot was selected for a major realignment by the 1995 Base Realignment and Closure (BRAC 95) list. As part of BRAC 95, SIAD has undergone a transformation of mission and released several parcels of property for reuse, including Herlong and Susanville Roads parcels and the clean portions of Honey Lake, the East Shore, and Amedee Airfield. Portions of these parcels have not transferred due to remaining contamination or were retained for current and future mission needs.

Corrective action is required of a hazardous waste facility to clean up contamination on the entire property that resulted from past waste management practices. A hazardous waste facility is any facility that treats, stores, or disposes hazardous waste in accordance with authorization issued under RCRA. In 2003, Sierra Army Depot submitted a RCRA permit application that was withdrawn with the intent to cease open burning/open detonation (OB/OD) operations and close these RCRA units. As a result, DTSC terminated interim status authorization in 2004. Permitted and interim status hazardous waste facilities are required to clean up contaminated soil, surface water, and groundwater to protect human health and the environment under a process known as corrective action.

Sierra Army Depot is not a closing installation, nor has it completed its environmental clean up activities. The U.S. Army will retain ownership of the Former Honey Lake Demolition Range, which consists of approximately 4,486 acres of the eastern portion of Honey Lake. This property is not currently suitable for transfer due to ongoing investigation and cleanup work. RCRA Closure and Corrective Action requirements continue to apply to the retained property on SIAD.

Sierra Army Depot is not listed on the U.S. Environmental Protection Agency (U.S. EPA) National Priorities List and has signed a Federal Facility Site Remediation Agreement under CERCLA with DTSC and RWQCB in 1991. Since then, SIAD has performed the CERCLA environmental cleanup under the guidance and regulatory authority of DTSC and the Lahontan Region RWQCB. Petroleum releases and investigation and cleanup of underground storage tanks and aboveground storage tanks have been performed under the guidance and regulatory authority of the RWQCB and Lassen County Environmental Health Department.

## Transferred Parcels

The U.S. Army has prepared Finding(s) of Suitability to Transfer (FOSTs) and "Environmental Condition of Property" documents for each of the properties that have already transferred ownership. These documents describe the environmental suitability of federally-owned property at SIAD for transfer to other federal and non-federal ownership consistent with CERCLA and Department of Defense policies. All of the property considered for this Corrective Action Complete Determination has been determined to be free from environmental hazard which would restrict future use of the property. These documents support the DTSC determination that all Corrective Action has been completed for the listed properties (or parcels).

The transferred property documents described above summarize the investigation and cleanup of releases of hazardous substances on the subject parcels. These documents were available for public review concurrent with DTSC's proposed Corrective Action Complete Determination. The purpose of these documents for the U.S. Army is to document environmentally related findings that support the conclusion that real property made available through the Base Realignment and Closure (BRAC) process at SIAD is suitable for transfer by deed per provisions of section 120(h) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA). In addition, these environmental documents may identify disclosure notifications and use restrictions, as specified in the "Notifications and Restrictions" section of the FOSTs, necessary to protect human health or the environment.

The transferred parcels include approximately 62,000+ acres of developed and undeveloped land on eight parcels. Each of the parcels was evaluated for the following areas: where a hazardous substance release was suspected to have occurred; where a documented release has occurred; or, based on the types of activities that occurred in an area, where the potential for a past release had occurred.

As stated above, the FOSTs include a "Notifications and Restrictions" section which provides warranted notifications and/or restrictions on certain activities to ensure post-transfer uses of the transferred parcels are protective of human health and the environment. (Note: similar restrictions are also stated in the "Environmental Condition of Property" documents as well.) Notifications are disclosures associated with each parcel such as: use and storage of hazardous substances and petroleum products, closed CERCLA cleanup sites, former underground and aboveground storage tanks,

wastewater treatment and related systems such as oil-water separators and wash racks, polychlorinated biphenyls-containing equipment and storage areas, pesticide use, asbestos containing building materials and lead-based paint. Asbestos and lead-based paint abatement has not been completed in all buildings. Specific restrictions limit or prevent certain occupancy or use of these buildings pending either asbestos-containing material and lead paint surveys and abatement or proper demolition. Restrictions discussed in the environmental documents have been incorporated into the deeds of affected properties.

Boundaries between the transferred parcels and retained property were established using: (1) site characterization, (2) buffer zones established in Records of Decisions for Installation Restoration Program Sites, (3) buffer zones established by the California Integrated Waste Management Board for landfills, and (4) conservative estimates of the extent of probable contamination including allowance for adequate staging area used for sites needing further evaluation.

Finally, in accordance with CERCLA, the FOSTs provide for Right of Access and Covenant. CERCLA requires that for any property transferred from federal ownership to non-federal public or private ownership, the deed will contain a covenant. This covenant warrants that all remedial action, necessary to protect human health and the environment with respect to any hazardous substances remaining on the property, has been taken before the date of transfer. The covenant further states that any additional remedial action found to be necessary after the date of such transfer shall be conducted by the United States.

Name of Public Agency Approving Project: **Department of Toxic Substances Control**

Name of Person or Agency Carrying Out Project: **Mr. Charles Ridenour, P.E.**

Exemption Status: (check one)

- ☐ Ministerial [PRC, Sec. 21080(b)(1); CCR, Sec. 15268]  
☐ Declared Emergency [PRC, Sec. 21080(b)(3); CCR, Sec. 15269(a)]  
☐ Emergency Project [PRC, Sec. 21080(b)(4); CCR, Sec. 15269(b)(c)]  
☐ Categorical Exemption: [State type and section number]  
☐ Statutory Exemptions: [State code section number]  
☒ General Rule [14 CCR, Sec. 15061(b)(3)]

Exemption Title: **With certainty, no possibility of a significant environmental effect.**

Reasons Why Project is Exempt:

1. The project does not involve any physical activities at the remainder of SIAD. The project is an administrative decision by DTSC that previously completed investigations and cleanup activities conducted under the regulatory oversight of DTSC, the Regional Water Quality Control Board, Lahontan Region, and the Lassen County Environmental Health Department, on the property identified in the Finding(s) of Suitability to Transfer (FOSTs) and "Environmental Condition of Property" documents as described in this Notice of Exemption have satisfied the corrective action requirements under RCRA and California Hazardous Waste Control Law. The boundary defining the SIAD hazardous waste facility is being modified to exclude the transferred property. No offsite impacts will occur as a result of moving the facility boundaries.

2. The entire SIAD installation is listed on the Hazardous Waste and Substances Site List and on the Cortese List. However, for the transferred parcels, all environmental studies and remedial action under CERCLA necessary to protect human health and the environment with respect to hazardous substances remaining on the property have been taken. On this basis, DTSC finds that RCRA corrective action is complete for these stated parcels.

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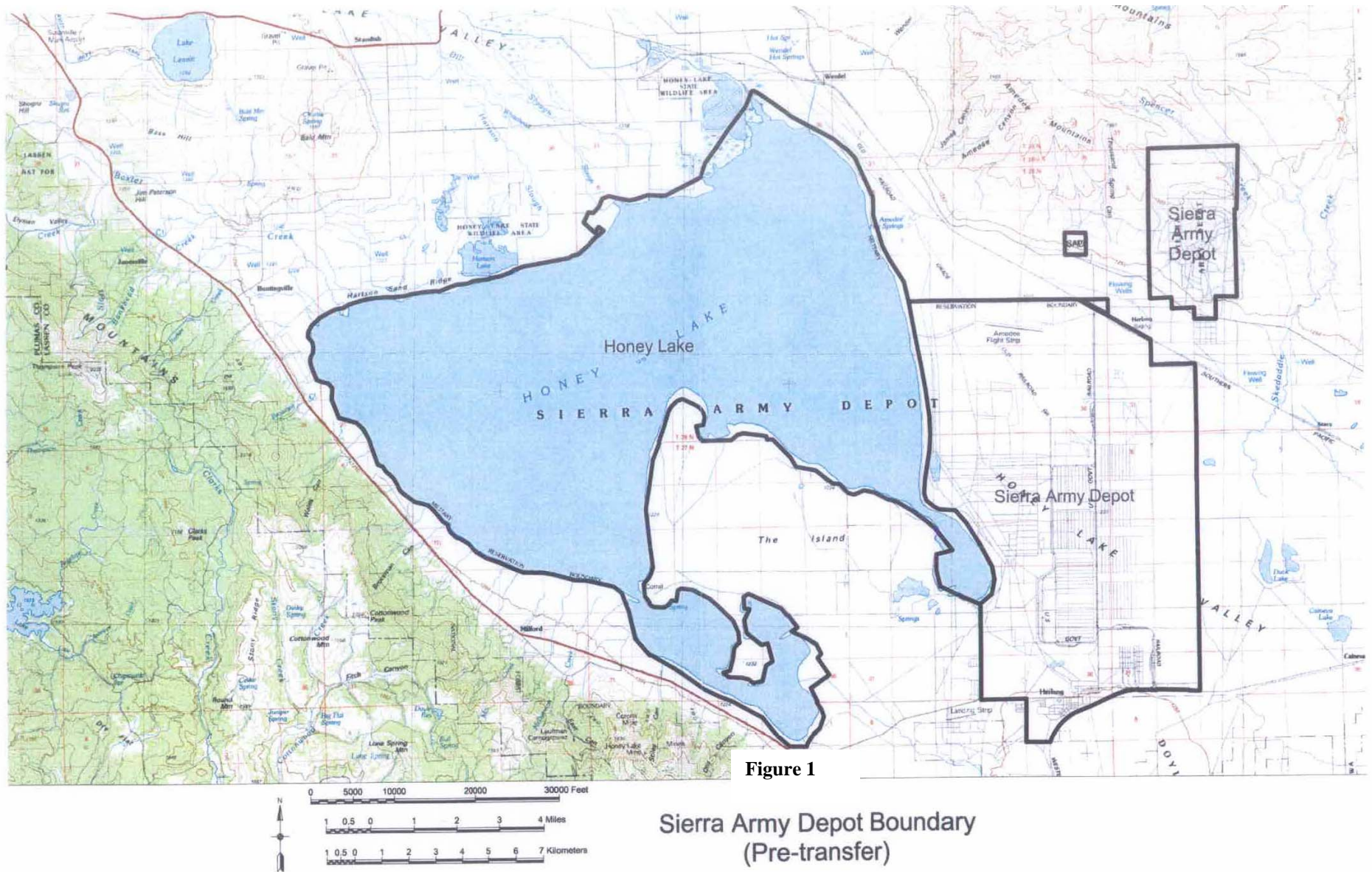


Figure 1

Sierra Army Depot Boundary  
(Pre-transfer)

Figure not to scale



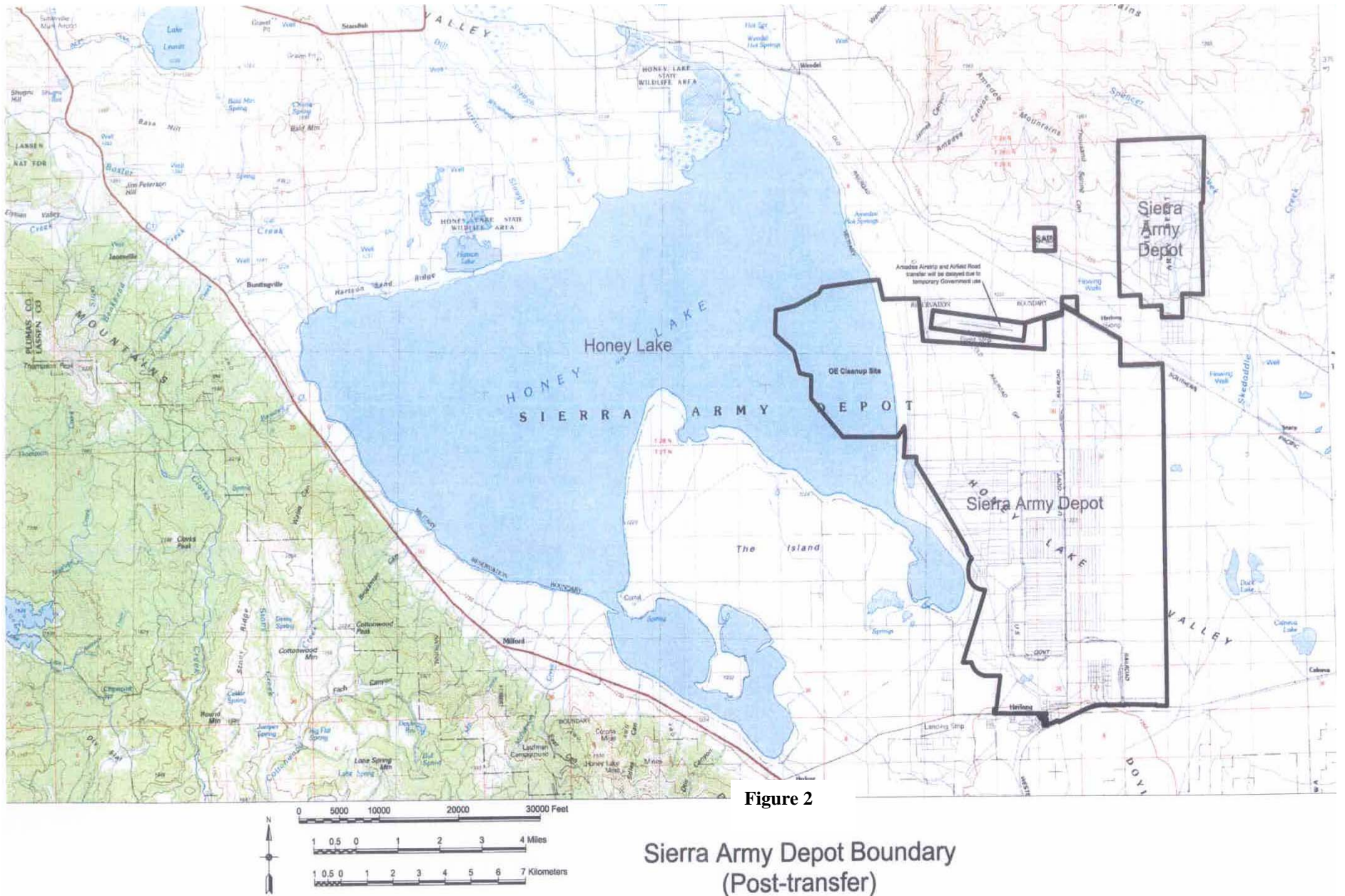


Figure not to scale